



**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND  
101 W. LOMBARD STREET  
BALTIMORE, MARYLAND 21201**

DEPUTY  
Chambers of  
**Hon. Marvin J. Garbis**  
United States District Judge  
410-962-7700

December 18, 2002

TO ALL COUNSEL OF RECORD

Re: Morningstar v. Weister, MJG-02-31

Dear Sir/Madam:

I have asked my secretary to schedule a brief hearing on the pending Motion for Protective Order. I believe that this can be held by telephone conference call to avoid your having to travel here.

I need the hearing in order to obtain clarification of the following as well as other matters that may arise in the course of the hearing:

1. Is Plaintiff limiting her non-economic damage claim to the physical pain caused by the injury and, thus, excluding any claim that would relate to her mental health situation?
2. On what basis is Defendant not entitled to data regarding Plaintiff's physical medical history reflected in the records submitted? See, for example, the first paragraph of "Medical History" on the first page of the records.
3. What is the nature of Plaintiff's claim for damages for lost income and lost earning capacity? How would a mental health problem not be relevant to a claim based on Plaintiff's projected income absent the injury from the accident at issue?
4. What are the parties respective positions regarding the accident at issue?

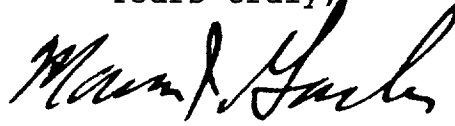
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I look forward to hearing from counsel.

Yours truly,

A handwritten signature in black ink, appearing to read "Marvin J. Garbis", written in a cursive style.

Marvin J. Garbis  
United States District Judge

CC: Clerk of Court